

UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEW HAMPSHIRE

John C. Votta, Jr.  
d/b/a/ Golden Auto, L.L.C.

v.

Civil No. 07-cv-246-SM

Virginia Beecher, Director,  
Department of Motor Vehicles,  
New Hampshire Department of Safety

**REPORT AND RECOMMENDATION**

Before the Court is a complaint filed by John Votta, doing business as Golden Auto, L.L.C. (document no. 1), pursuant to 42 U.S.C. § 1983. Because this action has been filed pro se and in forma pauperis, the complaint is before me for preliminary review to determine, among other things, whether it states any claim upon which relief might be granted. See United States District Court Local Rule ("LR") 4.3(d)(1)(B) (requiring preliminary review in a case filed pro se and in forma pauperis).

Votta attempts to appear pro se on behalf of Golden Auto, L.L.C. It is well settled that a corporation, trust, or any other unincorporated association may not be represented pro se, or be a pro se party, but must be represented by licensed counsel. See Rowland v. Cal. Men's Colony, Unit II Men's

Advisory Council, 506 U.S. 194, 201-02 ("It has been the law for the better part of two centuries . . . that a corporation may appear in the federal courts only through licensed counsel."); In re Victor Publishers, Inc., 545 F.2d 285, 286 (1st Cir. 1976); see also LR 83.2(d) ("Persons who are not members of the bar of this court . . . will be allowed to appear before this court only on their own behalf."); LR 83.6(c) ("A corporation or unincorporated association may not appear in any action or proceeding pro se.").

Plaintiff, who I presume is not a licensed attorney admitted to the bar of this Court, cannot represent a corporation pro se. Accordingly, I recommend that this action be dismissed without prejudice to being refiled by licensed counsel. Any objections to this report and recommendation must be filed within ten (10) days of receipt of this notice. Failure to file objections within the specified time waives the right to appeal the district court's order. See Unauthorized Practice of Law Comm. v. Gordon,

979 F.2d 11, 13-14 (1st Cir. 1992); United States v. Valencia-Copete, 792 F.2d 4, 6 (1st Cir. 1986).

  
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James R. Muirhead  
United States Magistrate Judge

Date: November 14, 2007

cc: John C. Votta, Jr., pro se